

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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| ERIC RANDALL HINKLE, | § | |
| | § | |
| Petitioner, | § | |
| VS. | § | CIVIL ACTION NO. 2:15-CV-427 |
| | § | |
| WILLIAM STEPHENS, | § | |
| | § | |
| Respondent. | § | |

OPINION AND ORDER OF TRANSFER

This is a habeas action filed on October 5, 2015, by a state prisoner incarcerated at the Hughes Unit in Gatesville, Texas, which is located in Coryell County. (D.E. 1). In his complaint, Petitioner challenges a prison disciplinary conviction he received while he was at the McConnell Unit in Beeville, Texas, which is located in Bee County. (D.E. 1).

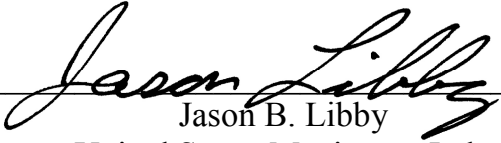
A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); *Wadsworth v. Johnson*, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is in the Waco Division of the Western District of Texas, 28 U.S.C. § 124(d)(2), and he was convicted by a court located in Tarrant County in the Fort Worth Division of the Northern District of Texas. 28 U.S.C. § 124(a)(2).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). A habeas application may be

transferred in furtherance of justice to the other district court for hearing and determination. 28 U.S.C. § 2241(d). Because Petitioner is currently incarcerated in Coryell County, it is more convenient and would further the interests of justice for this action to be handled in the Waco Division of the Western District of Texas.

Accordingly, it is ordered that this case be transferred to the United States District Court for the Western District of Texas, Waco Division. All pending motions are denied as moot and are subject to renewal after the case is transferred.

ORDERED this 7th day of October, 2015.


Jason B. Libby
United States Magistrate Judge